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Attorney for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA,

Plaintiff,

v.

PIROUZ SEDAGHATY,

Defendant.

CR 05-60008

**MOTION TO ESTABLISH FILING
PROCEDURE**

Defendant, Pirouz Sedaghaty, by and through his attorneys, Lawrence Matasar, and Federal Public Defender Steven T. Wax, hereby move this Court to establish a suitable procedure so that Mr. Sedaghaty can file documents in the District of Oregon through the Court Security Officer for classification review. This motion is made because Mr. Sedaghaty plans to file a document within the next ten days that includes a declaration from

a former intelligence official regarding the likely extent of classified information that should be available from the intelligence community regarding Pirouz Sedaghaty and the Al Haramain organization. We understand that the information in the declaration is unclassified but, out of an abundance of caution, we would like to give the government the opportunity to review the document before it is filed in the public record to ensure that it does not contain any classified information.

Counsel for Mr. Sedaghaty has been utilizing a filing procedure established by United States District Court for the District of Columbia in the case captioned *In Re Guantánamo Detainees*, Case No. 04-01254. Exhibit 1. The protective order entered by the Court in those cases establishes a procedure for counsel to file documents by providing them to a Court Security Officer. When filed, counsel provides a notice of filing in the public record. The Court Security Officer reviews and/or provides the documents to a team within the government for classification review. Upon conclusion of the classification review, if the documents do not contain any classified information, they are then marked "Cleared for Filing" and filed in the public record. In the event that classified material is found to exist, the documents are redacted with non-classified portions being filed in the public record and the full classified document remaining under seal.

RESPECTFULLY SUBMITTED this 9th day of September, 2008.

/s/ Steven T. Wax
Steven T. Wax
Federal Public Defender

/s/ Lawrence W. Matasar
Lawrence W. Matasar